



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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JOHN F. KRATTLI
County Counsel

May 6, 2013

TO: AUDIT COMMITTEE
FROM: JOHN F. KRATTLI *PAW (for)*
County Counsel
RE: **Review of Board Policy No. 5.050**

This office has reviewed the Board of Supervisors' Policy No. 5.050 (Contractor's Use of GAIN/GROW Participants). We have consulted with the Department of Public Social Services, Internal Services Department and Chief Executive Office. We recommend that, for efficiency with regard to any future minor modifications, a general statement describing the attestation form be substituted for the previous complete attestation form attached to Board Policy No. 5.050. We also recommend the sample contract and solicitation language be revised to conform with the actual contract and solicitation language now in use, and the Sunset Review Date be extended until July 17, 2017. Enclosed is a redline version of the policy, as requested by the Executive Office.

If you have any questions, please contact Assistant County Counsel Lianne Edmonds at (213) 974-9704, or Assistant County Counsel Manuel A. Valenzuela Jr. at (213) 974-1835.

JFK:MWS:md

Enclosure

c: William T Fujioka
Chief Executive Officer

Lisa M. Garrett, Director of Personnel
Department of Human Resources

Tom Tindall, Director
Internal Services Department

Sheryl L. Spiller, Director
Department of Public Social Services



TOM TINDALL
Director

County of Los Angeles INTERNAL SERVICES DEPARTMENT

1100 North Eastern Avenue
Los Angeles, California 90063

"To enrich lives through effective and caring service"

Telephone: (323) 267-2109
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May 1, 2013

To: Shirley Christensen
Department of Public Social Services

From: Joe Sandoval *[Signature]*
General Manager

Subject: **BOARD POLICY REVIEW – 5.050 Contractor's Use of GAIN/GROW Participants**

Based on the request of the Executive Office, the Internal Services Department reviewed Board Policy 5.050 – Contractor's Use of GAIN/GROW Participants.

During our review of the policy, we noted that the solicitation and contract language in the policy differs from the language in the contract models located on the County's Purchasing and Contracts web portal. For your reference, attached are both versions for your review (Attachment I). Please include the language your department deems most accurate in the final Board policy.

Additionally, we recommend the following changes to the policy as included in the red-line version (Attachment II):

- Reference Section – Add a link to the "Attestation of Willingness to Consider GAIN/GROW Participants" form (form attached).
- Policy Section - Remove the "Attestation of Willingness to Consider GAIN/GROW Participants" form.
- Date Issued Section – Extend the sunset review date to July 17, 2017.

If you have any questions regarding this request, please contact Luci Gutierrez at (323) 267-2905 or at lgutierrez@isd.lacounty.gov.

TT:JS:YY:lg

Attachments

SOLICITATION LANGUAGE IN MODEL**Consideration of GAIN/GROW Participants for Employment**

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Appendix D - Required Forms Exhibit 9, along with their proposal.

SOLICITATION LANGUAGE IN BOARD POLICY**Consideration of GAIN/GROW Participants for Employment**

Should contractor require additional or replacement personnel after the effective date of this agreement, contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet contractor's minimum qualifications for the open position. If contractor decides to pursue consideration of GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. County will refer GAIN/GROW participants, by job category, to contractor.

Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.

As a threshold requirement for consideration for contract award, bidders/proposers shall demonstrate a proven record of hiring GAIN/GROW participants or shall attest to a willingness to consider GAIN/GROW participants for any future employment opening if they meet the minimum qualifications for that opening. Additionally, bidders/proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the bidders'/proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders/proposers who are unable to meet this requirement shall not be considered for this award.

Bidders/proposers shall complete and return the form "Attestation of Willingness to Consider GAIN/GROW Participants," Attachment ____, hereunder, with their bid/proposal.

CONTRACT LANGUAGE IN MODEL

Consideration of GAIN/GROW Participants for Employment

Should the Contractor require additional or replacement personnel after the effective date of this Contract, the Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunity for Work (GROW) Program who meet the Contractor's minimum qualifications for the open position. For this purpose, consideration shall mean that the Contractor will interview qualified candidates. The County will refer GAIN/GROW participants by job category to the Contractor.

In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.

CONTRACT LANGUAGE IN POLICY

Consideration of GAIN/GROW Participants for Employment

Should contractor require additional or replacement personnel after the effective date of this agreement, contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet contractor's minimum qualifications for the open position. If contractor decides to pursue consideration GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. County will refer GAIN/GROW participants, by job category, to contractor.

Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.



Los Angeles County BOARD OF SUPERVISORS POLICY MANUAL

Attachment II

Policy #:	Title:	Effective Date:
5.050	Contractor's Use of GAIN/GROW Participants	08/12/97

(See also Board Policy No. 9.120)

PURPOSE

Encourage businesses that contract with the County to use Greater Avenues for Independence (GAIN) or General Relief Opportunities for Work (GROW) participants through the inclusion of standard language in solicitation documents, contracts and contract renewals and amendments.

REFERENCE

April 8, 1997 Board Order, Synopsis 63

July 15, 1997 Board Order, Synopsis 60

July 28, 1997 Director of Personnel Memo "Employment of Qualified Gain (Greater Avenues for Independence) Program Participants by County Departments and Contract Temporary Personnel Agencies"

August 12, 1997 Chief Administrative Office Board Letter, "Plan for Encouraging County Contractors to Participate in Greater Avenues for Independence (GAIN) Hiring"

August 12, 1997 Board Order, Synopsis 62

October 6, 1997 Chief Administrative Office memo, "Standard Contract Clauses - GAIN Program Hiring"

February 5, 2002 Board Order, Synopsis 12

"Attestation of Willingness to Consider GAIN/GROW Participants" form

POLICY

All new County solicitations, contracts, renewals and amendments shall include standard language that requires contractors to consider GAIN or GROW participants when hiring. All Future solicitation documents shall establish a minimum threshold requirement that bidders/proposers demonstrate a history of hiring GAIN or GROW participants or a willingness

to hire them.

Standard language to be used in all new County solicitations, contracts, renewals and amendments:

CONSIDERATION OF GREATER AVENUES FOR INDEPENDENCE (GAIN) OR GENERAL RELIEF OPPORTUNITIES FOR WORK (GROW) PARTICIPANTS FOR EMPLOYMENT

Should contractor require additional or replacement personnel after the effective date of this agreement, contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet contractor's minimum qualifications for the open position. If contractor decides to pursue consideration GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. County will refer GAIN/GROW participants, by job category, to contractor.

Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.

Standard Language to be used in all solicitation documents:

Consideration of GAIN/GROW Participants for Employment

Should contractor require additional or replacement personnel after the effective date of this agreement, contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet contractor's minimum qualifications for the open position. If contractor decides to pursue consideration of GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. County will refer GAIN/GROW participants, by job category, to contractor.

Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.

As a threshold requirement for consideration for contract award, bidders/proposers shall demonstrate a proven record of hiring GAIN/GROW participants or shall attest to a willingness to consider GAIN/GROW participants for any future employment opening if they meet the minimum qualifications for that opening. Additionally, bidders/proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the bidders'/proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders/proposers who are unable to meet this requirement shall not be considered for this award.

Bidders/proposers shall submit a completed and return the form, "Attestation of Willingness to Consider GAIN/GROW Participants," form Attachment _____, hereunder, with their bid/proposal.

ATTESTATION OF WILLINGNESS TO CONSIDER GAIN/GROW PARTICIPANTS

~~As a threshold requirement for consideration for contract award, bidders/proposers shall demonstrate a proven record of hiring GAIN/GROW participants or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for the openings. Additionally, bidders/proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the bidders/proposers employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders/proposers shall complete, sign, and return with their proposal request this form. Bidders/proposers who are unable to meet this requirement shall not be considered for contract award.~~

~~Bidder/proposer shall complete all of the following information, sign where indicated, and return this form with their proposal request:~~

A. ~~Bidder/proposer has a proven record of hiring GAIN/GROW participants.~~

 YES NO
(Subject to verification by County)

B. ~~Bidder/proposer is willing to consider GAIN/GROW participants for any future employment openings if the GAIN/GROW participant meets the minimum qualifications for the opening. "Consider" means that bidder/proposer is willing to interview qualified GAIN/GROW participants.~~

 YES NO

~~If YES, state the name and telephone number of the person whom the County may contact to refer GAIN/GROW Participants:~~ _____

C. ~~Bidder/proposer is willing to provide employed GAIN/GROW participants access to its employee mentoring program, if available.~~

 YES NO N/A (program not available)

D. ~~Bidder/proposer will provide information regarding job openings and job requirements to Department of Public Social Services GAIN/GROW staff at GAINGROW@dpss.lacounty.gov if contractor decides to pursue consideration of GAIN/GROW participants for hiring.~~

 YES NO

BIDDER/PROPOSER

(Type or Print Name of Firm)

By _____

Type or Print Name: _____

Type or Print Title: _____

RESPONSIBLE DEPARTMENT

Department of Public Social Services
Chief Executive Office
Department of Human Resources
County Counsel
Internal Services Department

DATE ISSUED/SUNSET DATE

Issue Date: August 12, 1997
Reissue Date: January 29, 2002
Review Date: October 20, 2005
Review Date: July 16, 2009
Review Date: May 1, 2013

Sunset Review Date: August 12, 2001
Sunset Review Date: September 20, 2005
Sunset Review Date: October 20, 2008
Sunset Review Date: July 16, 2013
Sunset Review Date: July 17, 2017



Los Angeles County BOARD OF SUPERVISORS POLICY MANUAL

Policy #:	Title:	Effective Date:
5.050	Contractor's Use of GAIN/GROW Participants	08/12/97

(See also Board Policy No. 9.120)

PURPOSE

Encourage businesses that contract with the County to use Greater Avenues for Independence (GAIN) or General Relief Opportunities for Work (GROW) participants through the inclusion of standard language in solicitation documents, contracts and contract renewals and amendments.

REFERENCE

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"Attestation of Willingness to Consider GAIN/GROW Participant" form

POLICY

All ~~new~~ County solicitations, contracts, renewals and amendments shall include standard language that requires contractors to consider GAIN or GROW participants when hiring. All ~~Future~~ solicitations documents shall establish a minimum threshold requirement that

bidders/proposers demonstrate a history of hiring GAIN or GROW participants or a willingness to hire them.

Standard language to be used in all new County solicitations, contracts, renewals and amendments:

CONSIDERATION OF GREATER AVENUES FOR INDEPENDENCE (GAIN) OR GENERAL RELIEF OPPORTUNITIES FOR WORK (GROW) PARTICIPANTS FOR EMPLOYMENT
Consideration of GAIN/GROW Participants for Employment

Should contractor require additional or replacement personnel after the effective date of this agreement, ~~Contract, the Contractor~~ shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities Opportunity for Work (GROW) Program who meet ~~contractor's~~ the Contractor's minimum qualifications for the open position. For this purpose, consideration shall mean that the Contractor will interview qualified candidates. ~~If contractor decides to pursue consideration GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. The County will refer GAIN/GROW participants, by job category, to the Contractor.~~

~~Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.~~

Standard Language to be used in all solicitation documents:

Consideration of GAIN/GROW Participants for Employment

~~Should contractor require additional or replacement personnel after the effective date of this agreement, contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet contractor's minimum qualifications for the open position. If contractor decides to pursue consideration of GAIN/GROW participants for hiring, Contractor shall provide information regarding job openings and job requirements to Department of Public Social Services' GAIN/GROW staff at GAINGROW@dpss.lacounty.gov. County will refer GAIN/GROW participants, by job category, to contractor.~~

~~Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.~~

As a threshold requirement for consideration for contract award, ~~bidders/p~~ Proposers shall demonstrate a proven record of hiring GAIN/GROW participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, ~~bidders/p~~ Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the ~~bidders/p~~ Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. ~~Bidders/p~~ Proposers who are unable to meet this requirement shall not be considered for this contract award. ~~Bidders/p~~ Proposers shall complete and return

the form, "Attestation of Willingness to Consider GAIN/GROW Participants," as set forth in Appendix - Required Forms Exhibit, along Attachment _____, hereunder, with their proposal.

ATTACHMENT _____

ATTESTATION OF WILLINGNESS TO CONSIDER GAIN/GROW PARTICIPANTS

~~As a threshold requirement for consideration for contract award, bidders/proposers shall demonstrate a proven record of hiring GAIN/GROW participants or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for the openings. Additionally, bidders/proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the bidders/proposers employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders/proposers shall complete, sign, and return with their proposal request this form. Bidders/proposers who are unable to meet this requirement shall not be considered for contract award.~~

~~Bidder/proposer shall complete all of the following information, sign where indicated, and return this form with their proposal request:~~

- ~~A. Bidder/proposer has a proven record of hiring GAIN/GROW participants.~~

~~_____ YES _____ NO~~

~~(Subject to verification by County)~~

- ~~B. Bidder/proposer is willing to consider GAIN/GROW participants for any future employment openings if the GAIN/GROW participant meets the minimum qualifications for the opening. "Consider" means that bidder/proposer is willing to interview qualified GAIN/GROW participants.~~

~~_____ YES _____ NO~~

~~If YES, state the name and telephone number of the person whom the County may contact to refer GAIN/GROW Participants: _____~~

- ~~C. Bidder/proposer is willing to provide employed GAIN/GROW participants access to its employee mentoring program, if available.~~

~~_____ YES _____ NO _____ N/A (program not available)~~

- ~~D. Bidder/proposer will provide information regarding job openings and job requirements to Department of Public Social Services GAIN/GROW staff at GAINGROW@dps.lacounty.gov if contractor decides to pursue consideration of GAIN/GROW participants for hiring.~~

~~_____ YES _____ NO~~

BIDDER/PROPOSER

(Type or Print Name of Firm)

By _____

Type or Print Name: _____

Type or Print Title: _____

RESPONSIBLE DEPARTMENT

Department of Public Social Services
Chief Executive Office
Department of Human Resources
County Counsel
Internal Services Department

DATE ISSUED/SUNSET DATE

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Sunset Review Date: July 16, 2013
Sunset Review Date: July 16, 2017



SACHI A. HAMAI
EXECUTIVE OFFICER

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 383
LOS ANGELES, CALIFORNIA 90012
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MEMBERS OF THE BOARD

GLORIA MOLINA

MARK RIDLEY-THOMAS

ZEV YAROSLAVSKY

DON KNABE

MICHAEL D. ANTONOVICH

March 18, 2013

TO: Sheryl L. Spiller
Director of Public Social Services

William T Fujioka
Chief Executive Officer

Lisa M. Garrett
Director of Personnel

John Krattli
County Counsel

Tom Tindall, Director
Internal Services Department

FROM: Sachi A. Hamai
Executive Officer

SUBJECT: REVIEW OF BOARD POLICY NO. 5.050

The attached policy statement 5.050 – Contractor's Use of GAIN/GROW Participants, with a sunset review date of July 16, 2013, requires your review. Please provide any recommended changes or revisions to the policy to the Audit Committee at auditcomm@bos.lacounty.gov by May 2, 2013 for consideration.

When making revisions to the policy statement, it is requested that deleted information be struck through and any added text be underlined. The process of editing the policy statement will make the review easier for all those involved.

Once received in Word format, the Audit Committee will notify you of the meeting date in which a representative from your Department will be asked to attend and discuss the policy statement. At that time, the Audit Committee will approve the policy statement or direct you to make changes and resubmit the policy statement to the Committee for additional review.

Sheryl L. Spiller, et al.
March 18, 2013
Page 2

Upon notification by the Audit Committee that your policy statement has been approved, one of the following will occur:

1. If the only revision is to extend the Sunset Date; the policy statement will automatically be updated on the "Los Angeles County Policy Manual" website by my staff.
2. The Audit Committee will instruct you to prepare a Board letter for review by the Board of Supervisors making a recommendation to accept the revisions. After Board approval, the policy statement will automatically be updated by my staff on the "Los Angeles County Policy Manual" website.

For additional information on renewing a policy statement, see the Board's online "Introduction to the Board of Supervisors Policy Manual" at <http://countypolicy.co.la.ca.us>.

Please let me know if you have any questions, or your staff may contact Martha Arana of my staff at (213) 974-1431.

SAH:aj:gk

Attachment

S:\CommissionServices\Policy\NotificationMemos\2013\5.050_first reminder